

CASEREFERRED,CLOSED

**United States District Court
Western District of Michigan (Southern Division (1))
CIVIL DOCKET FOR CASE #: 1:10-cv-01228-RJJ-HWB**

Ocon-Fierro #14232-040 v. Drug Enforcement Administration
et al
Assigned to: Judge Robert J. Jonker
Referred to: Magistrate Judge Hugh W. Brennehan, Jr
Cause: 05:552 Freedom of Information Act

Date Filed: 12/13/2010
Date Terminated: 03/07/2013
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

plaintiff**Rosalio Ocon-Fierro #14232-040**

represented by **Rosalio Ocon-Fierro #14232-040**
Elkton (FCI)
Federal Correctional Institution
P.O. Box 10
Lisbon, OH 44432
PRO SE

V.

defendant**Drug Enforcement Administration**

represented by **Ryan D. Cobb**
U.S. Attorney (Grand Rapids)
The Law Bldg.
330 Ionia Ave., NW
P.O. Box 208
Grand Rapids, MI 49501-0208
(616) 456-2404
Email: Ryan.Cobb@usdoj.gov
ATTORNEY TO BE NOTICED

defendant**Executive Office for United States
Attorneys**

represented by **Ryan D. Cobb**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/13/2010	<u>1</u>	COMPLAINT against Drug Enforcement Administration, Executive Office for United States Attorneys filed by Rosalio Ocon-Fierro(rmw) (Entered: 12/14/2010)
12/13/2010		RECEIPT (Prisoner Litigation): in the amount of \$350.00, receipt number GR023115; for filing fees (rmw) (Entered: 12/14/2010)
03/14/2011	<u>2</u>	NOTICE OF IMPENDING DISMISSAL as to Defendants Drug Enforcement Administration and Executive Office for United States Attorneys unless plaintiff completes service of process; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, ymc) (Entered: 03/14/2011)
03/15/2011		Copy of Notice of Impending Dismissal <u>1</u> <u>2</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (elc) (Entered: 03/15/2011)
03/24/2011		(DISREGARD) SUMMONS ISSUED as to defendants Drug Enforcement Administration, Executive Office for United States Attorneys, U.S. Attorney and U.S. Attorney General (elc) Modified on 4/19/2011: see entry filed 4/19/11 (elc). (Entered: 03/24/2011)
04/14/2011	<u>3</u>	RESPONSE TO <u>2</u> <i>notice of impending dismissal</i> filed by plaintiff Rosalio Ocon-Fierro #14232-040 (elc) (Entered: 04/14/2011)

04/19/2011		SUMMONS ISSUED as to defendants Drug Enforcement Administration, Executive Office for United States Attorneys, U.S. Attorney and U.S. Attorney General (elc) (Entered: 04/19/2011)
05/27/2011	<u>4</u>	ORDER REFERRING CASE to Magistrate Judge Brenneman; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, ymc) (Entered: 05/27/2011)
05/31/2011		Copy of Order Referring Case to Magistrate Judge <u>4</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (elc) (Entered: 05/31/2011)
06/15/2011	<u>5</u>	MOTION to dismiss by defendants Drug Enforcement Administration, Executive Office for United States Attorneys; (Cobb, Ryan) (Entered: 06/15/2011)
06/15/2011	<u>6</u>	BRIEF in support of MOTION to dismiss <u>5</u> filed by Drug Enforcement Administration, Executive Office for United States Attorneys (Attachments: # <u>1</u> Exhibit 1 – Little Declaration, # <u>2</u> Exhibit 2 – Boseker Declaration, # <u>3</u> Exhibit 3 – Jones Declaration)(Cobb, Ryan) (Entered: 06/15/2011)
06/15/2011	<u>7</u>	CERTIFICATE OF SERVICE by defendants Drug Enforcement Administration, Executive Office for United States Attorneys re Brief in Support of a Motion, <u>6</u> , MOTION to dismiss <u>5</u> (Cobb, Ryan) (Entered: 06/15/2011)
07/01/2011	<u>8</u>	MOTION for extension of time to file response/reply re <u>5</u> with <i>Certificate of Service</i> by plaintiff Rosalio Ocon-Fierro #14232-040; (ald) (Entered: 07/01/2011)
07/07/2011	<u>9</u>	RESPONSE in opposition to MOTION to dismiss <u>5</u> filed by Rosalio Ocon-Fierro #14232-040 (ald) (Entered: 07/07/2011)
07/07/2011	<u>10</u>	AMENDED COMPLAINT against All Defendants filed by Rosalio Ocon-Fierro #14232-040 (Attachments: # <u>1</u> Exhibits 1– 8)(ald) (Entered: 07/07/2011)
07/07/2011	<u>11</u>	NOTICE of Amendment with <i>Certificate of Service</i> by plaintiff Rosalio Ocon-Fierro #14232-040 (ald) (Entered: 07/07/2011)
07/15/2011	<u>12</u>	ORDER granting <u>8</u> motion for extension of time to file response/reply re <u>5</u> ; signed by Magistrate Judge Hugh W. Brenneman, Jr (Magistrate Judge Hugh W. Brenneman, Jr., fhw) (Entered: 07/15/2011)
07/18/2011		Copy of Order on Motion for Extension of Time to File Response/Reply <u>12</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (kvt) (Entered: 07/18/2011)
07/21/2011	<u>13</u>	REPLY to response to motion <u>5</u> <i>DEFENDANTS' REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS</i> filed by Drug Enforcement Administration, Executive Office for United States Attorneys (Cobb, Ryan) (Entered: 07/21/2011)
07/21/2011	<u>14</u>	CERTIFICATE OF SERVICE by defendants Drug Enforcement Administration, Executive Office for United States Attorneys re Reply to Response to Motion <u>13</u> <i>DEFENDANTS' REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS</i> (Cobb, Ryan) (Entered: 07/21/2011)
01/30/2012	<u>15</u>	ORDER denying as moot <u>5</u> motion to dismiss; defendants are directed to file a motion to dismiss the amended complaint or otherwise respond to the amended complaint within 21 days; signed by Magistrate Judge Hugh W. Brenneman, Jr (Magistrate Judge Hugh W. Brenneman, Jr., fhw) (Entered: 01/30/2012)
01/31/2012		Copy of Order on Motion to Dismiss, <u>15</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (ald) (Entered: 01/31/2012)
02/06/2012	<u>16</u>	MOTION to amend/correct <u>10</u> (<i>document named as motion for leave to amend complaint</i>) by plaintiff Rosalio Ocon-Fierro #14232-040; (Attachments: # <u>1</u> proposed second amended complaint, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9)(mkc) (Entered: 02/07/2012)
02/06/2012	<u>17</u>	MOTION for order (<i>document named as motion for order that defendants prepare and submit a vaughn index</i>) by plaintiff Rosalio Ocon-Fierro #14232-040; (mkc) (Entered: 02/07/2012)
02/09/2012	<u>18</u>	RESPONSE TO <u>15</u> with <i>Certificate of Service</i> filed by plaintiff Rosalio Ocon-Fierro #14232-040 (ald) (Entered: 02/09/2012)

02/10/2012	<u>19</u>	RESPONSE TO MOTION to amend/correct <u>10</u> (<i>document named as motion for leave to amend complaint</i>) MOTION to amend/correct <u>10</u> (<i>document named as motion for leave to amend complaint</i>) <u>16</u> Defendants' Response to Plaintiff's Motion for Leave to Amend Complaint and Defendants' Motion for Extension of Time to Respond to Plaintiff's Second Amended Complaint filed by Drug Enforcement Administration, Executive Office for United States Attorneys (Cobb, Ryan) (Entered: 02/10/2012)
02/10/2012	<u>20</u>	CERTIFICATE OF SERVICE by defendants Drug Enforcement Administration, Executive Office for United States Attorneys re Response to Motion, <u>19</u> Defendants' Response to Plaintiff's Motion for Leave to Amend Complaint and Defendants' Motion for Extension of Time to Respond to Plaintiff's Second Amended Complaint (Cobb, Ryan) (Entered: 02/10/2012)
02/17/2012	<u>21</u>	ORDER granting <u>16</u> motion to amend/correct: proposed second amended complaint deemed filed; defendants shall file a motion to dismiss the second amended complaint or otherwise respond within 30 days; signed by Magistrate Judge Hugh W. Brenneman, Jr (Magistrate Judge Hugh W. Brenneman, Jr., fhw) (Entered: 02/17/2012)
02/17/2012	<u>22</u>	Second AMENDED COMPLAINT against All Defendants filed by Rosalio Ocon-Fierro #14232-040 (Attachments: # <u>1</u> Exhibits 1 - 4, # <u>2</u> Exhibits 5 - 9)(ald) (Entered: 02/21/2012)
02/21/2012		Copy of Order on Motion to Amend/Correct, <u>21</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (ald) (Entered: 02/21/2012)
02/21/2012	<u>23</u>	RESPONSE TO MOTION for order (<i>document named as motion for order that defendants prepare and submit a vaughn index</i>) <u>17</u> Response in Opposition to Plaintiff's Motion for Order That Defendants Prepare and Submit a Vaughn Index filed by Drug Enforcement Administration, Executive Office for United States Attorneys (Cobb, Ryan) (Entered: 02/21/2012)
02/21/2012	<u>24</u>	CERTIFICATE OF SERVICE by defendants Drug Enforcement Administration, Executive Office for United States Attorneys re Response to Motion, <u>23</u> (Cobb, Ryan) (Entered: 02/21/2012)
03/19/2012	<u>25</u>	MOTION to dismiss <i>Plaintiff's Second Amended Complaint</i> by defendants Drug Enforcement Administration, Executive Office for United States Attorneys; (Cobb, Ryan) (Entered: 03/19/2012)
03/19/2012	<u>26</u>	MEMORANDUM in support of Motion to Dismiss <u>25</u> <i>Plaintiff's Second Amended Complaint</i> filed by Drug Enforcement Administration, Executive Office for United States Attorneys(Cobb, Ryan) (Entered: 03/19/2012)
03/19/2012	<u>27</u>	CERTIFICATE OF SERVICE by defendants Drug Enforcement Administration, Executive Office for United States Attorneys (Cobb, Ryan) (Entered: 03/19/2012)
04/02/2012	<u>28</u>	MOTION for extension of time to file response/reply re <u>25</u> <i>with certificate of service</i> by plaintiff Rosalio Ocon-Fierro #14232-040; (gjf) (Entered: 04/02/2012)
04/04/2012	<u>29</u>	ORDER granting <u>28</u> motion for extension of time to file response; response to <u>25</u> due 4/11/2012; signed by Magistrate Judge Hugh W. Brenneman, Jr (Magistrate Judge Hugh W. Brenneman, Jr., fhw) (Entered: 04/04/2012)
04/05/2012		Copy of Order on Motion for Extension of Time to File Response/Reply <u>29</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (ald) (Entered: 04/05/2012)
04/16/2012	<u>30</u>	RESPONSE in opposition to MOTION to dismiss <i>Plaintiff's Second Amended Complaint</i> <u>25</u> filed by Rosalio Ocon-Fierro #14232-040 (mkc) (Entered: 04/16/2012)
04/16/2012	<u>31</u>	BRIEF by plaintiff Rosalio Ocon-Fierro #14232-040 re <u>30</u> (<i>document named as Brief In Support of Plaintiff's Opposition to Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint</i>) (mkc) (Entered: 04/16/2012)
09/10/2012	<u>32</u>	ORDER denying <u>17</u> motion for order; signed by Magistrate Judge Hugh W. Brenneman, Jr (Magistrate Judge Hugh W. Brenneman, Jr., fhw) (Entered: 09/10/2012)

09/11/2012		Copy of Order on Motion for Order <u>32</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (kvt) (Entered: 09/11/2012)
11/05/2012	<u>33</u>	LETTER from plaintiff Rosalio Ocon-Fierro #14232-040 requesting docket sheet; <i>docket sheet mailed 10/07/2012</i> (dfw) (Entered: 11/07/2012)
02/15/2013	<u>34</u>	REPORT AND RECOMMENDATION re <u>25</u> ; objections to RRdue within 14 days; signed by Magistrate Judge Hugh W. Brenneman, Jr (Magistrate Judge Hugh W. Brenneman, Jr., fhw) (Entered: 02/15/2013)
02/19/2013		Copy of Report and Recommendation <u>34</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (ald) (Entered: 02/19/2013)
03/01/2013	<u>35</u>	MOTION for extension of time to file <i>a response to 34</i> by plaintiff Rosalio Ocon-Fierro #14232-040; (Attachments: # <u>1</u> Proposed Document)(ald) (Entered: 03/04/2013)
03/05/2013	<u>36</u>	ORDER denying <u>35</u> motion for extension of time to file objections; signed by Magistrate Judge Hugh W. Brenneman, Jr (Magistrate Judge Hugh W. Brenneman, Jr., fhw) (Entered: 03/05/2013)
03/06/2013		Copy of Order on Motion for Extension of Time to File <u>36</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (ald) (Entered: 03/06/2013)
03/07/2013	<u>37</u>	ORDER APPROVING AND ADOPTING REPORT AND RECOMMENDATION <u>34</u> ; Defendants' motion to dismiss plaintiff's second amended complaint <u>25</u> is granted ; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, ymc) (Entered: 03/07/2013)
03/07/2013	<u>38</u>	JUDGMENT in favor of Defendants against Plaintiff ; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, ymc) (Entered: 03/07/2013)
03/07/2013		Certified Copy of Judgment <u>38</u> , Order Regarding Report and Recommendation <u>37</u> sent via U.S. Mail to Rosalio Ocon-Fierro #14232-040 (ald) (Entered: 03/07/2013)